

MINUTES OF THE
MAG MANAGEMENT COMMITTEE MEETING
March 8, 2000
MAG Office Building - Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Frank Fairbanks, Phoenix, Chairman
Debbie Kohn for Tim Ernster, Avondale
*Joe Blanton, Buckeye
*Jon Pearson, Carefree
Usama Abujbarah, Cave Creek
Lloyd Harrell, Chandler
*Maggie Reese, El Mirage
Paul Nordin, Fountain Hills
Shane Dille for Carl Stephani, Gila Bend
*Urban Giff, Gila River Indian Community
Kent Cooper, Gilbert
Ed Beasley for Martin Vanacour, Glendale
Stephen Cleveland, Goodyear
*Luis Gonzales, Guadalupe
Horatio Skeete, Litchfield Park
Mike Hutchinson, Mesa

Tom Martinsen, Paradise Valley
Terry Ellis, Peoria
Joe LaFortune for Cynthia Seelhammer,
Queen Creek
David Easchief, Salt River Pima-Maricopa
Indian Community
Dick Bowers, Scottsdale
*Al DeShazo, Surprise
Gary Brown, Tempe
Rosemarie Booth for Ralph Velez, Tolleson
Fred Carpenter, Wickenburg
*Lloyce Robinson, Youngtown
Mary Peters, ADOT
Tom Buick for David Smith, Maricopa County
Ken Driggs, RPTA

*Those members neither present nor represented by proxy.

OTHERS PRESENT

Cari Anderson, MAG
Eric Anderson, MAG
Stuart Boggs, MAG
James M. Bourey, MAG
Peggy Carpenter, Scottsdale
Dawn Coomer, MAG
Jim Creedon, Landry & Associates
William 'Blue' Crowley, Citizen
Ken Davis, FHWA
Valerie Day, MAG
Chuck Eaton, ADOT
Eric Emmert, Tempe Chamber of Commerce
Dean Giles, MAG
Barbara Goldberg, Steptoe & Johnson
Phillip Hubbard, Peoria
Maria Hyatt, Phoenix
Lyn James, Citizen
Terry Johnson, MAG
Sarath Joshua, MAG
Glenn Kephart, Tempe
Carol Kratz, MAG
Randy Lewis, Citizen

Jeff Martin, Mesa
Victor Mendez, ADOT
Dennis Mittelstedt, FHWA
Matt Ortega, RPTA
Dana Paschke, Glendale
Tara Plese, Citizen
Chris Plumb, MCDOT
Suzanne Quigley, MAG
Art Rullo, MAG
Tami Ryall, Gilbert
Linda Shuster, Citizen
Audrey Skidmore, MAG
Dennis Smith, MAG
Kelly Taft, MAG
Lisa Takata, Phoenix
Mary Lynn Tischer, ADOT
Gordon Tyus, MAG
Jim Vanar, Maricopa County Animal Control
Chris Voigt, MAG
Rita Walton, MAG
Shannon Wilhelmsen, Tempe
Dick Wright, ADOT

Bob Yulinke

1. Call to Order

The meeting was called to order by Acting Chairman Lloyd Harrell, Chandler, at 12:05 p.m.

Acting Chairman Harrell announced that Mike Hutchinson had been named City Manager of Mesa. Chairman Fairbanks joined the meeting. He introduced and welcomed Curtis Shook, City Manager of Apache Junction. He noted that this was Apache Junction's first meeting as a MAG Associate Government.

Chairman Fairbanks introduced proxies Debbie Kohn for Tim Ernster from Avondale, Shane Dille for Carl Stephani from Gila Bend, Ed Beasley for Marty Vanacour from Glendale, Tom Buick for David Smith from Maricopa County, Joe LaFortune for Cynthia Seelhammer from Queen Creek, and Rosemarie Booth for Ralph Velez from, Tolleson.

2. Approval of February 8, 2000 Meeting Minutes

Chairman Fairbanks asked if there were any corrections to the minutes. Hearing none, he asked for a motion to approve.

Mary Peters moved, Stephen Cleveland seconded, and it was unanimously carried to approve the minutes of the February 8, 2000 Management Committee meeting, as written.

3. Call to the Audience

Chairman Fairbanks stated that a timer is available to assist the public with their presentations. He noted that public comments have a three minute time limit. When two minutes have elapsed, the yellow light will come on notifying the speaker that they have one minute to sum up. At the end of the three minute time period, the red light will come on. He stated that for members of the audience who wish to speak, cards are available from the staff who will bring it to the Chairman. Public comment is provided at the beginning of the meeting for non-agenda items. Chairman Fairbanks noted that no public comment cards had been turned in.

4. Executive Director's Report

James M. Bourey stated that a successful new construction program was agreed to by the Census Bureau. He said that all addresses in the mail-out, mail-back area provided by cities will receive a questionnaire. New construction information from the cities is due to the Census by April 3rd and he encouraged timely submission of this information. Mr. Bourey noted that an error caused the Census notices to include a "1" at the beginning of addresses. However, the notices should be received by addressees because of bar coding. Mr. Bourey said that questionnaire forms in the mail-out, mail-back area will be mailed out beginning next week.

Mr. Bourey stated that a bill could be introduced in the Arizona House on March 9th to change the structure of transportation planning by replacing MAG, the State Transportation Board, and RPTA with a Regional Transportation Board. Mr. Bourey mentioned that there are some points of the bill that are against federal law. He said that information on MAG's reaction is being drafted.

Mr. Bourey gave an air quality update and stated that industrial sanctions took effect on March 2nd. He said that action on the PM-10 Plan by the EPA is expected in early April.

Mr. Bourey mentioned that a memo was sent out notifying members of the date change of the Desert Peaks Awards from June 28 to June 21, 2000. He indicated that this change was made due to a request from the Chairman of the Regional Council. Mr. Bourey said that the event will be shortened and is expected to conclude by 8:30 p.m. Chairman Fairbanks thanked Mr. Bourey for his report and asked if there were any questions.

Mary Peters stated that Representative Carolyn Allen requested a statement of impact from ADOT regarding a recent request to have emissions testing performed by gas stations. She indicated that there is a sense of urgency in this matter. Mr. Bourey expressed concern about this testing option possibly weakening our plan.

5. Approval of Consent Agenda

Chairman Fairbanks stated that public comment is provided at the beginning of the meeting for consent items. After hearing public comment, any member of the Committee may request that an item be removed from the consent agenda and considered individually. Chairman Fairbanks noted that agenda items #6, #7, #8, #9, #10, and #11 were on the consent agenda.

Chairman Fairbanks asked if any members had questions, discussion or requested removal of any item on the consent agenda.

Hearing none, Chairman Fairbanks asked for a motion to recommend approval of the consent agenda. Ed Beasley moved, Dick Bowers seconded.

Before a vote was taken, Chairman Fairbanks recognized public comment from Blue Crowley, who stated that Air Quality goals are not being reached. For agenda item #7, Recommendations to the Arizona Department of Transportation for the FTA Elderly & Persons with Disabilities Transportation Program, he said that the State is not putting up enough money. Disabled poor use taxis to get to health care, which amounts to \$500,000 per year in expense to the County. He said that construction of the tunnel at I-17 and Grand should be coordinated during canal dry-up in January. Mr. Crowley mentioned that notices of the open house for public input did not appear on buses. Chairman Fairbanks thanked Mr. Crowley for his comments.

Chairman Fairbanks called for a vote on the motion to recommend approval of consent agenda items #6, #7, #8, #9, #10, and #11. The motion was unanimously carried.

6. Amendment to the FY 2000-2004 MAG Transportation Improvement Program

The Management Committee, by consent, recommended approving an amendment to the FY 2000-2004 MAG Transportation Improvement Program to add the following projects: Maricopa County, Upgrade AzTech Data Server (\$471,500, CMAQ); and ADOT Various locations Gore Re-striping (\$800,000, HES) in FY 2000. The FY 2000-2004 MAG Transportation Improvement Program (TIP) was approved by the Regional Council on June 9, 1999. On July 28, 1999, the Regional Council approved the carry forward of the Maricopa County Upgrade AzTech Data Server (\$471,500, CMAQ) project from FY 1999 to 2000. The Federal Highway Administration has requested that a TIP amendment be completed to allow this project to proceed. In addition, ADOT has requested to add a Gore re-striping project to FY 2000 with

\$800,000 in Federal Safety funds (HES). These changes are not expected to affect the MAG air quality conformity analysis and the required action is considered a minor TIP amendment. The proposed projects are categorized as exempt, for which conformity determinations are not required. Consultation on the conformity assessment for this amendment is considered under a separate agenda item.

7. Recommendations to the Arizona Department of Transportation for the FTA Elderly & Persons with Disabilities Transportation Program

The Management Committee, by consent, recommended forwarding the priority listing of applicants for FTA Elderly & Persons with Disabilities Transportation Program to the Arizona Department of Transportation. On February 24, 2000, the MAG FTA Elderly and Persons with Disabilities Transportation Ad Hoc Committee ranked applications for the Federal Transit Administration (FTA) Section 5310 funding. FTA provides these funds to the Arizona Department of Transportation for capital assistance to agencies and public bodies that provide transportation services for people who are elderly and for people who have a disability. This year, 15 applications for capital assistance awards were received and considered by the Committee. The ranking provided by MAG is considered by ADOT in determining which applicants are to be awarded.

8. Consultation on Conformity Assessment for an Amendment to the FY 2000-2004 MAG Transportation Improvement Program

The Federal Highway Administration has requested that an amendment to the FY 2000-2004 MAG Transportation Improvement Program (TIP) be completed to allow the Maricopa County project to upgrade the AzTech Data Server to proceed. The estimated cost of the project is \$471,500 in available Congestion Mitigation Air Quality (CMAQ) funds. In addition, the Arizona Department of Transportation has requested an amendment to add a gore re-striping project to FY 2000 with \$800,000 in available Safety funds. A description of the projects can be found in the attached interagency consultation memoranda dated February 28, 2000 and March 1, 2000.

MAG has reviewed the projects for compliance with the federal conformity rule (40 CFR Parts 51 and 93) and found that the project change requires consultation on the conformity assessment. The projects may be categorized as exempt, for which conformity determinations are not required. The current conformity finding of the TIP and the associated Long Range Transportation Plan Summary that was made jointly by the Federal Highway Administration and Federal Transit Administration in a letter dated June 10, 1999, would be unchanged by this action.

9. Consultation on Processes for the 2000 Conformity Analysis

Federal and state conformity regulations require that MAG consult with federal, state and local air quality and transportation agencies on processes proposed for the conformity analysis on the transportation program and plan. These processes include: the selection of modeling methods, the identification of exempt projects, ensuring the expeditious implementation of transportation control measures, and the identification of projects which require PM₁₀ hotspot analysis. It is anticipated that the proposed processes will be applied in the upcoming conformity analysis of the Fiscal Year 2001-2005 MAG Transportation Improvement Program (TIP) and the MAG

Long Range Transportation Plan Summary and 2000 Update (LRTP). Comments are requested to MAG by March 17, 2000.

10. Consultation on Potentially Regionally Significant Projects of the FY 2001-2005 MAG Transportation Improvement Program

Federal and State conformity regulations require Metropolitan Planning Organizations such as MAG to consult with State and local air quality and transportation agencies, the U.S. Environmental Protection Agency, and the U.S. Department of Transportation regarding which transportation projects will be considered "regionally significant" for the purposes of regional emissions analysis. Regionally significant projects are subject to conformity requirements. Comments are requested to MAG by March 17, 2000.

11. Social Services Block Grant Funding Recommendations

The Management Committee, by consent, recommended approving the SSBG funding reductions and to request the Department of Economic Security and the Office of the Governor to work together to find an adequate amount of funds to provide SSBG-funded services in the State. On March 2, 2000, the MAG Human Services Technical Committee is scheduled to recommend specific funding reductions for the Social Services Block Grant (SSBG) funds. It is anticipated that the SSBG funds will need to be reduced by \$469,586 for State FY 2001. The State of Arizona has endeavored to offset the tremendously negative effects of these reductions by replacing some of the reduced SSBG funds with federal Temporary Assistance to Needy Families. This replacement ends in State FY 2001, meaning there will be further damage to the community-based infrastructure to assist people in need. Members of the Management Committee will be asked to approve the funding reductions and request the Department of Economic Security (DES) and the Office of the Governor to work together to find an adequate amount of funds to provide SSBG-funded services in the State. The Human Services Technical Committee funding reduction recommendations were faxed to Management Committee members on March 3, 2000.

12. MAG Fiscal Analysis Annual Report

Eric Anderson stated that each year, MAG produces a report that reviews the MAG Freeway Program. The Annual Report is required by a state law passed in 1992. Its purpose is to address the status of the regional freeway system. Since the first issuance of the Annual Report in April 1992, the Regional Freeway System, as reported in the Arizona Department of Transportation Life Cycle Program, has been in balance with available revenues and construction schedules have been met. The report contains findings related to right-of-way acquisition, right-of-way "take-lines," corridor protection, the South Mountain alignment, limited ability for additional acceleration, the need for an operations and maintenance plan, better design and construction documentation, consolidation of the remainder of the state highways in the MAG region with the RFS, and the adoption of the best management practices for the state highway program in the MAG region. The report also notes that the RFS saved \$194 million due to inflation savings and \$55 million in reduced interest cost as a result of the 2007 acceleration. The Report was presented at a joint public meeting with officials from the State Transportation Board, MAG and the RPTA on March 2nd and to the Regional Council on February 23rd. Chairman Fairbanks thanked Mr. Anderson for his report and asked if there were any questions. He noted that no action was needed for this agenda item.

Dick Bowers asked if there were estimates for the projected right-of-way costs. Mr. Anderson replied that cost increases are estimated at 8 percent to 10 percent. He said these estimates are re-examined every six months.

13A. FY 2000 MAG Mid-Phase Public Input Opportunity

Dawn Coomer stated that the goal of the public involvement program is to provide opportunity for early and continuing involvement in the transportation planning and programming process, which is required under TEA-21. The mid-phase process provides for input on the TIP and LRTP. An open house was held on February 24th and a public hearing held on March 2nd. Ms. Coomer summarized the comments received at the open house. She said that attendees were supportive of Transit 2000 and additional transit hours and frequency. Ms. Coomer summarized comments received at the public hearing. She said that citizens expressed both opposition and support for the widening of the Superstition Freeway. Comments were received about impact to quality of life, air quality, and noise caused by freeway construction. Ms. Coomer stated that citizens expressed the need for noise walls along the Santan Freeway in Gilbert.

Chairman Fairbanks thanked Ms. Coomer for her presentation. He announced that questions would be taken after presentations of the following agenda items #13B, #13C, #13D, and #13E.

13B. Adopt Revised Freeway Acceleration Policy

Eric Anderson stated that, in 1997, the Regional Council approved the Freeway Acceleration Policy for projects that are part of the MAG Regional Freeway Program. The Regional Freeway Program is scheduled for completion in 2007 and there are efforts to consolidate the Regional Freeway Program with the balance of the ADOT state highway program for the MAG region. With the interest to accelerate projects that are not part of the Regional Freeway Program, the MAG Freeway Acceleration Policy needs to be modified to include all highway projects in the region.

Mr. Anderson summarized the changes to the policy. The policy is modified to include all state highway projects, not just for the Regional Freeway Program, and projects in the MAG TIP or LRTP. He said enhancements, such as artwork or unnecessary interchanges, would not be eligible for repayment, which must follow the schedule in the TIP or priorities in the LRTP. Mr. Anderson said that if priorities are not established, then ADOT and MAG would cooperatively determine an unaccelerated start date in order to calculate interest expense. He said that none of the interest is eligible for reimbursement for non-Regional Freeway System projects, and repayment would be adjusted if revenues are higher or lower. Mr. Anderson mentioned that if revenue were lower, repayment would be delayed. He noted that, importantly, no other project would be adversely affected.

13C. Advancement of the Superstition Freeway General Purpose Lanes in Mesa

Eric Anderson stated that the City of Mesa requested that the general purpose lanes from Price to Val Vista be included as part of the Superstition Freeway design-build project. The general purpose lanes are included in the MAG Long-Range Transportation Plan for construction after the 2007 priority projects are completed. The City of Mesa has offered to finance the acceleration of the general purpose lanes through a Grant Anticipation Note (GAN). To calculate the interest payment on the GAN, a repayment date is required. To set the repayment date, it was assumed that the unaccelerated start date for the general purpose lanes would be

2008, after all of the 2007 priorities are completed. Approval of this advancement therefore establishes a commitment to program the project in 2008 for the general purpose lanes in Mesa which follows the 2007 projects previously approved by the Regional Council. Other projects for funding in 2008 will be recommended as part of a new long range planning process or when the FY 2004-2008 MAG Transportation Improvement Program is developed.

13D. Conformity Analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program

Paul Ward summarized the reasons for drafting a Transportation Improvement Program (TIP). The 1990 Clean Air Act Amendments require that the MAG TIP be in conformance with the applicable air quality plans. He explained that all Title 23 federally funded projects within the region, and all regionally significant projects within a non-attainment area must be included in a conforming TIP. In addition, regionally significant projects within a non-attainment area need to come from a Congestion Management System. Mr. Ward said that TIP development is required every two years, but MAG develops a TIP every year to keep pace with the fast growth and air quality concerns. He summarized the schedule of TIP development. Data for the TIP is received from federal, state and local agencies, private developers, MAG transportation plans, work program, and models. Mr. Ward stated that further input is received from the public, MAG Technical Advisory Committees, and MAG staff. He summarized the federal regulations that apply to the development of the TIP. Mr. Ward displayed pie charts that showed the amounts of federal funds, totalling \$286 million, allocated to freeways, bicycle, transit, telecommuting, street, pedestrian, ITS, and transportation demand projects. He pointed out the sources of total funds allocated in the 2001-2005 TIP, including local highway, state highway, federal highway, private highway, RARF, and federal, state and local transit. Mr. Ward said that these funds total \$4.54 billion. He noted the allocation of these funds to various transportation modes, with the majority going to freeways, followed by streets. Mr. Ward remarked that the street allocation includes the funds for the dirt road paving projects previously approved, and maintenance, safety, and bridge projects. Other modes include transit, bike, pedestrian, and contingencies. Chairman Fairbanks thanked Mr. Ward for his presentation.

13E. Conformity Analysis of the MAG Long Range Transportation Plan Summary

Terry Johnson stated that the Long Range Transportation Plan is a multi-modal plan that includes street and freeway improvements, transit, pedestrian, car pools and HOVs, bike, air, telecommuting, and traffic signals. He said that the 1990 Clean Air Act Amendments require that transportation plans and programs be in conformance with applicable air quality plans. To comply with this requirement, it is necessary to conduct a conformity analysis on an update to the LRTP. Mr. Johnson stated that highlights in the Update include incorporation of the Grand Avenue MIS, an updated Pedestrian Plan, extending the time horizon to 2020 from 2019, an updated street funding plan, and incorporation of changes from the draft FY 2001-2005 Transportation Improvement Program.

Mr. Johnson summarized the Plan highlights, which includes new controlled access highways and widening for regional routes, such as the HOV lanes and general purpose lanes on the Superstition through Mesa, SR 85, and the 303. He said the Plan includes more than 50 percent increase in street lane miles, tripling of bus service, quadrupling of express bus service, and a 39-mile light rail transit system. Chairman Fairbanks thanked Mr. Johnson for his presentation.

Chairman Fairbanks recognized public comment from Linda Shuster, who stated that she is a resident of Tempe. She said that she attended the public meeting on March 2nd, where 17 or more citizens spoke against moving the retaining walls on the Superstition to the ultimate. Ms. Shuster stated that no Tempe resident spoke in favor. Ms. Shuster expressed her appreciation for the democratic procedures allowed by MAG and indicated that this was not the case with the Governor's Transportation Vision 21 Task Force. Ms. Shuster displayed a 1998 map of carbon monoxide levels showing Tempe as a hot spot. She indicated that this has risen and noted that 9.5 ppm causes exceedance of federal air quality standards. She stated that ADOT predicts a level of service F when the freeway is completed. Ms. Shuster stated that ADOT has expressed their position that moving the walls is a design issue. Their presentation to utilize this area as a transit corridor is deceitful. Ms. Shuster asked that the retaining walls be placed to accommodate only the HOV lane, so as not to allow traffic lanes to be added. Chairman Fairbanks thanked Ms. Shuster for her comments.

Chairman Fairbanks recognized public comment from Randy Lewis, who stated that he is a resident of Tempe. Mr. Lewis stated that the Mesa Chamber of Commerce has stated their position that this is a quality of life issue. Federal standards for noise are being reached. Mr. Lewis commented that because of the dust and noise from the freeway he has a 12-foot wall in his backyard and triple pane windows on his house. He indicated that property values have declined with no appreciation expected in the near future. Mr. Lewis said that schools back up to the freeway. He said that the freeway has a 300-foot wide corridor right-of-way, whereas the Red Mountain has a 600-foot right-of-way. Mr. Lewis suggested building out the Red Mountain to relieve congestion. He asked that MAG stand by its decision to keep the walls where they are. Chairman Fairbanks thanked Mr. Lewis for his comments.

Chairman Fairbanks recognized public comment from Lyn James, who commented on a January 9th Arizona Republic newspaper article on pollution problems. She said that sensors do not adequately reflect the pollution in Tempe, because no sensors are located there. Ms. James stated that if an area has high levels of pollution, those levels need to be reduced. She expressed her disagreement with the City of Mesa's position that by increasing capacity, even though more cars will be traveling, the pollution will be less since traffic will be continuously moving. Chairman Fairbanks thanked Ms. James for her comments.

Chairman Fairbanks recognized public comment from Richard Nolan, who stated that he was the Chairman of the Citizens Transportation Committee in the City of Tempe. Mr. Nolan stated that ADOT should abide by the agreement, documented in a letter to Gary Brown dated December, 15 1999, to accommodate only an HOV and ramp widening. Mr. Nolan stated that the expense of moving the walls is a waste of money. He suggested finding a comprehensive solution to transportation problems. Mr. Nolan referred to a study that showed that adding lanes do not reduce congestion, but induce travel. He mentioned that ADOT has indicated with widening of the Superstition, it will still operate at a level of service F. He said that moving the walls are in violation of the Long Range Transportation Plan. Chairman Fairbanks thanked Mr. Nolan for his comments.

Chairman Fairbanks recognized public comment from Glenn Kephart, who stated he is the Deputy Public Works Director for the City of Tempe. Mr. Kephart stated that the controversy is not about the TIP or conformity, but what is not in the TIP. He indicated that Tempe is not opposed to projects in the TIP, but is opposed to moving the retaining walls to accommodate an additional transportation corridor. Mr. Kephart stated that spending money for capacity is

not included in the TIP. He said that this issue should be discussed in a planning process. Mr. Kephart displayed a chart on capacity reproduced from ADOT's Design Concept Report. Chairman Fairbanks thanked Mr. Kephart for his comments.

Chairman Fairbanks recognized public comment from Blue Crowley, who stated that he is appreciative of the park and ride facilities being planned. He said they are 11 years late, but it is a good start. For agenda item #13D, Conformity Analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program, he asked how many cities are not listed as having transit projects. Mr. Crowley stated his support for moving the retaining walls to the ultimate. He mentioned that TEA-21 states that SOV lanes cannot be added, so any additional lanes would have to be HOV. Mr. Crowley stated that combining paving shoulders with bike lane construction would save money. Projects need to be multi-modal and regional. Mr. Crowley commented on representation of the MAG Regional Council at the joint public hearing. He said that heavy rail needs to be considered on Grand Avenue. Chairman Fairbanks thanked Mr. Crowley for his comments.

Chairman Fairbanks recognized public comment from Eric Emmert, who stated he is Vice President of the Tempe Chamber of Commerce, and was speaking on behalf of the Board of Directors. Mr. Emmert stated that the Board is in favor of expanding the freeway to one HOV lane eastbound and one HOV westbound. He stated that an additional \$6 million for moving the walls is an unnecessary cost since no increased capacity is being planned. Mr. Emmert stated that the Board agreed that a multi-modal approach must be considered. He indicated that the placement of the walls should reflect HOV expansion and no more. Chairman Fairbanks thanked Mr. Emmert for his comments.

Chairman Fairbanks recognized public comment from Tara Plese, who stated she is a resident of Dobson Ranch. She said the Dobson Ranch Board opposes the widening. Ms. Plese mentioned an editorial by Bob Robb, about the parochialism demonstrated in this issue. She said that it is not parochialism, but rather constituent services by elected officials to represent their voters and a desire to protect their quality of life. Ms. Plese commented that many communities are affected by the freeway. Chairman Fairbanks thanked Ms. Plese for her comments.

Chairman Fairbanks stated that agenda item #13A did not require action. He asked for discussion of agenda item #13A.

Gary Brown asked for a completion dated of the Mid-phase Public Input Opportunity Report. Ms. Coomer replied that completion of the report is anticipated within the next couple of weeks. She explained that the court reporter at the public hearing had a personal tragedy that delayed completion of the report. Mr. Brown requested allowing adequate time for the transcript to be considered by the body.

Chairman Fairbanks asked for discussion of agenda item #13B. Debbie Kohn commented on rewording #10 in the policy from "adversely" to "significantly" and to specify in time or funding availability. Mr. Bourey replied that the Freeway Acceleration Policy has been adopted by the Regional Council and only necessary revisions to the policy have been made. Ms. Kohn expressed Avondale's concern that projects not be delayed for any issue. Chairman Fairbanks noted that projects could not be built if the money is not available.

Tom Martinsen asked for clarification of changing "freeway" to "highway." Mr. Anderson replied that the wording was revised to clarify that the region consists of highways, in addition

to freeways. Mr. Bourey noted that SR 85 is an example. Mr. Martinsen stated that the wording implies that only highways would not be impacted. Mr. Anderson replied that the policy only applies to roads of the State highway system. Therefore, non-highway projects are not included in the policy. Ms. Kohn asked for confirmation that ADOT would notify MAG of any requests to accelerate highway projects for review and approval by the Regional Council, as stated in #11. Mr. Anderson stated that was correct.

Chairman Fairbanks asked for questions on agenda item #13D. Hearing none, he asked for questions on agenda item #13E.

Lloyd Harrell moved to recommend approval of agenda items #13B, Adopt Revised Freeway Acceleration Policy, approving the revised MAG Freeway Acceleration Policy to include all state highway projects in the MAG region, #13C, Advancement of the Superstition Freeway General Purpose Lanes in Mesa, advancing the general purpose lanes on the Superstition Freeway between Price Road and Val Vista Drive with a loan from the City of Mesa, with repayment of the loan from MAG scheduled for the year 2008, #13D, Conformity Analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program, authorizing a conformity analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program, and #13E, Conformity Analysis of the MAG Long Range Transportation Plan Summary, approving the MAG Long Range Transportation Plan Summary and 2000 Update for an air quality conformity analysis. Kent Cooper seconded.

Before a vote was taken, Gary Brown requested that agenda item #13D, Conformity Analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program, be considered individually. Chairman Fairbanks noted that Mr. Harrell, as maker of the motion, and Mr. Cooper, as the second, agreed to the request.

Chairman Fairbanks asked for a vote on the motion was to recommend approval of agenda items #13B, Adopt Revised Freeway Acceleration Policy, approving the revised MAG Freeway Acceleration Policy to include all state highway projects in the MAG region, #13C, Advancement of the Superstition Freeway General Purpose Lanes in Mesa, advancing the general purpose lanes on the Superstition Freeway between Price Road and Val Vista Drive with a loan from the City of Mesa, with repayment of the loan from MAG scheduled for the year 2008, and #13E, Conformity Analysis of the MAG Long Range Transportation Plan Summary, approving the MAG Long Range Transportation Plan Summary and 2000 Update for an air quality conformity analysis. The motion passed unanimously.

Lloyd Harrell moved to recommend approval of #13D, Conformity Analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program, authorizing a conformity analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program. Kent Cooper seconded.

Gary Brown moved to amend the motion to recommend approval of #13D, Conformity Analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program, authorizing a conformity analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program and to reflect a resolution that stated: Whereas, MAG has adopted a long range plan and Transportation Improvement Plan (TIP) that authorizes a High Occupancy Vehicle (HOV) facility to be built from I-10 to Price Road, and Whereas, MAG is responsible for allocating transportation funds to be expended in the transportation planning areas, Therefore, MAG determines that funds are authorized to construct the facility, including the placement of the

walls only to the extent necessary to accommodate the planned facility, and not include widening for future capacity expansion which has not been authorized by the plan. Ed Beasley seconded.

Chairman Fairbanks asked for discussion. Mary Peters stated that ADOT supports a long range transportation plan. She said that growth contributes to strain. She indicated that an opportunity to relieve this strain has presented itself. Ms. Peters stated that agreement on improvements is. Ms. Peters acknowledged the concerns of residents and commented on ADOT's intent to work with them to alleviate the impact. Ms. Peters commented on ADOT's commitment to safety. She remarked that this is a design issue that was not determined to increase capacity. She said that Mr. Brown's amendment is not appropriate and stated her objection to the amended motion.

Dick Bowers stated that this should be an ADOT decision, not a MAG decision, to determine this issue. He asked for MAG staff's position. Mr. Bourey stated that the TIP contains money for the Superstition, but does not specify design showing where the retaining walls would be built. He indicated that any increased capacity design would need to come through the MAG process. Mr. Bourey stated that plans for general purpose lanes are not included in the TIP or LRTP.

Ms. Peters stated that ADOT had consulted the Federal Highway Administration for their interpretation whether this was a design or programming issue. She stated that Federal Highway Administration responded in a letter dated February 29, 2000, stating that lateral placement of the retaining walls is a design issue. Ms. Peters indicated that copies of the letter would be made available to those interested.

Mr. Bowers stated that the City of Scottsdale would abstain from voting on this motion because it is not clear what MAG's responsibilities are with respect to design issues.

Gary Brown commented that widening is based on a plan that has not been approved by MAG. He commented that funds require a recommendation to the Regional Council from the Management Committee.

Paul Nordin asked if MAG has the legal authority to make this recommendation. Mr. Bourey replied that this has been addressed by the Federal Highway Administration. Dennis Mittelstedt, Federal Highway Administration, stated that the LRTP plans the funds, number of lanes, and time frame of construction. This issue is not well defined legally. Mr. Mittelstedt stated that FHWA considered this a design issue and encouraged a cooperative effort. Mr. Nordin asked which law would guide FHWA if MAG approved adoption of the Tempe resolution and ADOT attempted to override the adoption? Mr. Mittelstedt replied that planning regulations, such as Title 23, would be a guideline. Mr. Bourey stated that it is the MPO's responsibility to approve the TIP, which includes the basics of the project such as dollar amount and general scope. MAG does not have the responsibility to determine the design. Mr. Bourey stated that if a recommendation is given to take out \$6 million, it does not obligate ADOT.

Mr. Brown stated that allocating funds and working with ADOT to spend these funds are tasks of this Committee. He commented that consideration is being given to locating walls that are not in the plans. He questioned why this expenditure is being considered. Ms. Peters commented on the responsibility for allocating funds for specific projects. She said that moving walls is a design, not capacity issue. Mr. Brown commented on previous Management Committee action to only allow the addition of an HOV lanes.

Chairman Fairbanks stated that he lives close to two freeways. He said that the City of Tempe is doing what is right for them, but that he must oppose the motion. Chairman Fairbanks noted that MAG cannot decide all the details.

Mr. Beasley asked for clarification if recommending moving the walls would violate previous action. Mr. Brown referred to a letter written by ADOT on December 15, 1999, that states that the walls would be moved only to accommodate the addition of an HOV lane. He indicated that ADOT's position later changed as stated in another letter supporting moving the walls to the ultimate position. Ms. Peters stated that this was in response to the position of the cities. She mentioned that ADOT's initial intent was to move the walls to the ultimate. Kent Cooper commented on collaboration by two cities that was not inclusive of the entire Committee. He stated that ADOT was in agreement because they were under the impression the cities had agreed. Mr. Brown stated that approval of the TIP without including this amendment will lead to the plan being challenged. Chairman Fairbanks asked Ms. Peters to confirm that a conformity analysis would need to be done before any capacity would be added. Ms. Peters replied that was correct.

Chairman Fairbanks asked for a vote on the motion to recommend approval of #13D, Conformity Analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program, authorizing a conformity analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program and to reflect a resolution stating that: Whereas, MAG has adopted a long range plan and Transportation Improvement Plan (TIP) that authorizes a High Occupancy Vehicle (HOV) facility to be built from I-10 to Price Road, and Whereas, MAG is responsible for allocating transportation funds to be expended in the transportation planning areas, Therefore, MAG determines that funds are authorized to construct the facility, including the placement of the walls only to the extent necessary to accommodate the planned facility, and not include widening for future capacity expansion which has not been authorized by the plan. The motion was defeated by a vote of 5 Yes, 16 no, and one not voting.

Chairman Fairbanks asked for a vote on the motion to recommend approval of #13D, Conformity Analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program, authorizing a conformity analysis of the Draft FY 2001-2005 MAG Transportation Improvement Program. The motion passed by a vote of 17 yes, 2 no, and 3 not voting.

14. Status Report on the West Valley Multi-Modal Transportation Corridor Plan

This agenda was continued until the next Management Committee meeting.

15. MAG Videoconferencing Equipment and Services Selection

Rita Walton stated that, in September 1999, the Regional Council approved providing a regional videoconferencing system at a cost of \$1,446,000, using the closeout of FY 2000 funds to cover the remainder of the project cost, encouraging the use of videoconferencing on high pollution advisory days, and issuing a request for proposals (RFP) for purchase and installation of the system. Ms. Walton said that five proposals were received in response to the RFP. Because of issues raised regarding the procurement process, the RFP was cancelled. She stated that the RFP was revised and reissued in December 1999, and nine proposals were received. These proposals were reviewed by a multi-agency group consisting of MAGTAG, other member agency staff, and State, education, and business representatives. The recommendation was to select the Intellisys Group to supply the videoconferencing equipment and services at a cost not

to exceed \$1,100,000. Ms. Walton stated that Intellisys will be providing VTEL videoconferencing equipment, a Latitude Audioconferencing Server, an Ezenia Multiconference Server, and associated equipment and services necessary to ensure a successful implementation, which includes user training and first year maintenance costs. Ms. Walton stated that Intellisys would also be responsible for monitoring of the network services. The contract award and first year's operating and network costs will not exceed \$1,426,000. Second and third year operating costs are included in the proposed 2001-2005 Transportation Improvement Program. Ms. Walton said that, after consideration by the Management Committee and the Regional Council, it is anticipated that installation would begin in May 2000, with implementation of the system in the summer of 2000.

Chairman Fairbanks asked if there were any questions. Debbie Kohn expressed appreciation to all for their dedication to this project. Hearing no further questions, Chairman Fairbanks asked for a motion.

Debbie Kohn moved, Fred Carpenter seconded, and it was unanimously carried to recommend selecting the Intellisys Group to implement the MAG Videoconferencing System with the contract award not to exceed \$1,100,000. The contract award and first year's operating costs will not exceed \$1,426,000, with \$496,000 of this amount contingent upon the closeout of FY 2000 MAG federal funds.

16. North Valley Planning Analysis

This agenda item was continued until the next Management Committee meeting.

17. Discussion of County Animal Control Issues

Chairman Fairbanks stated that a memo was at each place with information on issues related to the coordination between the cities and towns and Maricopa County on animal control issues. He proposed that a MAG study committee will be formed to address these issues.

Gary Brown moved to recommend forming a MAG Study Committee to address animal control issues. Fred Carpenter seconded.

Tom Buick stated Maricopa County's support for the motion. He mentioned that Jim Vanar, Maricopa County Animal Control, was present to answer any questions.

A vote was taken and the motion was unanimously carried.

There being no further business, the meeting was adjourned at 2:05 p.m.

Chairman

Secretary